

EXHIBIT F

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
MUSA HOXHAJ, ABDOU EL SHBEINY, and
RICARDO CORDERO,

Plaintiffs,

-against-

Case No.:
1:21-cv-06486

MICHAEL CETTA, INC., MICHAEL CETTA, and
STEVEN CETTA,

Defendants.
-----x

May 13th, 2022
10:09 a.m.

EXAMINATION BEFORE TRIAL OF RICARDO CORDERO,
a Plaintiff herein, was held pursuant to the Federal
Rules of Civil Procedure, via video conference, on
the above-mentioned date and time, before Benedetta
Vitiello, a Professional Court Reporter and a Notary
Public within and for the State of New York.

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16 ALSO PRESENT:

17

18 SUSAN EDELSTEIN
19 Client Representative

19 MUSA HOXHAJ
20 Plaintiff

20

21 ABDOU EL SHBEINY
22 Plaintiff

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23

24

25

1 Ricardo Cordero

2 - - - - -

3 (Whereupon, an off-the-record
4 discussion took place.)

5 - - - - -

6 A Yes. Now I see this document, yes.

7 Q So is it my understanding that you
8 actually have seen this document and you do recognize
9 this document, Mr. Cordero?

10 A Yes, I recognize it.

11 Q This is the complaint that you and
12 your two co-plaintiffs filed in this action, correct?

13 A Can you repeat that?

14 Q This is the complaint that you filed
15 to start your lawsuit in federal court, right?

16 A Correct, yes.

17 Q Did you review this complaint before
18 it was filed by Mr. O'Neill?

19 A I reviewed it, yes.

20 Q Who is Musa Hoxhaj?

21 A He is a coworker.

22 Q A coworker where?

23 A In Sparks.

24 Q Did he hold the same position as you?

25 A Yes.

1 Ricardo Cordero

2 Q What position was that?

3 A Manager.

4 Q What about Mr. El Shbeiny, who is he?

5 A Same thing. That's the title they
6 gave us, manager.

7 Q Also at Sparks, correct?

8 A Correct.

9 Q Whose idea was it to file the
10 complaint?

11 MR. O'NEILL: You can answer.

12 A All three of us.

13 Q Which of the three of you were the
14 first to broach the topic of filing suit against
15 Sparks?

16 A The topic? No, I think, we are
17 equal.

18 Q At the same time, the three of you
19 decided to file a lawsuit against Sparks?

20 MR. O'NEILL: Objection.

21 A Yes.

22 Q Was that after you were furloughed in
23 March of 2020?

24 A I don't exactly know the date.

25 Q I'm sorry, can you repeat that?

1 Ricardo Cordero

2 Musa Hoxhaj, Abdou El Shbeiny, and Ricardo Cordero
3 against Michael Cetta, Inc. and everybody else there?

4 A Yes.

5 Q The third name is Steven Cetta,
6 right?

7 A The third name?

8 Q In the defendants.

9 A I don't see a Steve -- oh, yes,
10 michael Cetta and Steven Cetta. Yeah.

11 Q So you are familiar with Steve Cetta?

12 A Yes.

13 Q Who is Steve?

14 A Steve is his son.

15 Q When you say "his son," you mean
16 Michael's son, correct?

17 A Michael's son, correct.

18 Q For purposes of our conversation
19 today, since everybody shares a last name on the
20 defendants' side, I am going to refer to Steven Cetta
21 as "Steve," okay?

22 A Yeah.

23 Q How long have you known Steve?

24 A Since the time I was working there.

25 Q So since 1998?

1 Ricardo Cordero

2 A Correct.

3 Q Do you know how old he is?

4 A How old?

5 Q Yes. Do you know how old?

6 A No.

7 Q He is younger than you?

8 A He is younger than me, yes.

9 Q How old are you?

10 A I am sixty-seven.

11 Q Is he twenty years younger, ten years
12 younger, if you know?

13 MR. O'NEILL: Objection to form.

14 A I don't know.

15 Q Take a look at paragraph 13.

16 For the record, paragraph 13 says,
17 "During all relevant times, Cetta Jr., meaning Steve,
18 was responsible for the day-to-day operations of the
19 restaurant."

20 Did I read that correctly?

21 A Yes.

22 Q What are the day-to-day operations of
23 the restaurant?

24 A The day-to-day operations were Monday
25 through Saturday.

1 Ricardo Cordero

2 Q What did it mean to be responsible
3 for the day-to-day operations of the restaurant?

4 A "Day-to-day," that means he has to be
5 there every day in the restaurant.

6 Q Was Steve your boss?

7 A My boss? He was the owner.

8 Q Did you consider Steve your boss?

9 A Yes.

10 Q You reported directly to him?

11 A I'm sorry?

12 Q You reported directly to him?

13 MR. O'NEILL: Objection to form.

14 A No. I always report first to the
15 office, to Shailesh.

16 Q Paragraph 15 says that Steve was
17 responsible for the scheduling of all of the employees
18 in the front of the restaurant; do you see that?

19 A Yes, I see it.

20 Q Is that accurate?

21 A Yes.

22 Q Mr. Cetta was in charge of scheduling
23 all of the employees in the front of the house?

24 A No.

25 Q Whom was he in charge of scheduling?

1 Ricardo Cordero

2 Q Were you undergoing treatment at all?

3 A I was in treatment, yes.

4 Q Did you miss any days of work or come
5 in late at any point because of your treatment?

6 A No.

7 Q Mr. Cordero, have you ever been known
8 by any other name other than Ricardo Cordero?

9 A No.

10 Q What's your date of birth?

11 A 11/26/1955.

12 Q For the record, that makes you how
13 old?

14 A Sixty-seven.

15 Q Let's begin with your educational
16 background. What's the highest level of education
17 that you have achieved?

18 A Well, I finished accounting in my
19 country.

20 Q When you say you finished accounting,
21 did you go to college?

22 A Not college, no. It's high school.

23 Q Where was that high school located?

24 A In my country, Ecuador.

25 Q Were you born in Ecuador?

1 Ricardo Cordero

2 A Well, they showed me how Sparks
3 works. They showed me the kitchen, how to work in the
4 kitchen, how to cook the steaks, and they showed me
5 how Sparks serves the customers.

6 Q In your role as a server or a waiter,
7 whom were you directly reporting to?

8 A Reporting what?

9 Q Who was your supervisor?

10 A I don't know. I don't have a
11 supervisor. Maybe my trainer. He was supervising me,
12 how I was working, you know, to get the job.

13 Q If you wanted a day off, for
14 instance, whom would you talk to?

15 A I talked with the manager in the
16 front. At that time, it was Walter.

17 Q Was he the only manager at that time?

18 A At that time, no. There was another
19 guy. What's the name? One second.

20 Q Sure, take your time.

21 A I don't remember the name of that
22 guy.

23 Q If it comes to you at some point --

24 A Yes, I am going to tell you.

25 Q -- and you remember, just say it.

1 Ricardo Cordero

2 Q As a server or waiter, can you tell
3 me what your job responsibilities were?

4 A My job as a waiter?

5 Q Yes.

6 A Working with the customers, serving
7 them, prepare the tables when I get there, take their
8 orders, and clean the tables.

9 Q As a waiter, did you have the
10 authority to give anybody time off or set a schedule?

11 A No.

12 Q Did you have the authority to
13 discipline anybody if they did anything wrong?

14 A No.

15 MR. O'NEILL: Adam, can we take a
16 two-minute break?

17 MR. COLLYER: Yes, that's fine.

18 - - - - -

19 (Whereupon, a brief recess was
20 taken.)

21 - - - - -

22 Q Mr. Cordero, as a server at Sparks,
23 if you had an issue with a table, how would you try to
24 address that?

25 A First thing, I never had an issue

1 Ricardo Cordero

2 with a table. But if something happens, you go to the
3 manager in the front.

4 Q At that time, when you say the
5 managers in the front, that would be Ramy and Walter?

6 A And Walter, correct.

7 Q What would you want them to do when
8 you went up to them?

9 A Well, they would have to go and talk
10 with the customer.

11 Q Did you have any disagreements with
12 the kitchen staff or anyone else while you were a
13 server?

14 A No.

15 Q If you had had one, whom would you
16 have approached to resolve that for you?

17 A I don't know where to go. Maybe to
18 the manager.

19 Q What about disputes with other
20 waitstaff, other servers, same thing?

21 A Same thing, yes.

22 Q Who made your schedule when you were
23 a waiter?

24 A Who used to make it, Ramy.

25 Q At any point in time, did your

1 Ricardo Cordero

2 managers change while you were a waiter?

3 A I'm sorry, what is that?

4 Q I'm sorry, I will rephrase it.

5 We said that Ramy and Walter were the
6 managers when you started working as a server at
7 Sparks, right?

8 A Yes.

9 Q At any point in time while you were a
10 server, did those people change, were there any other
11 managers?

12 A No.

13 Q Your co-plaintiffs, Mr. El Shbeiny
14 and Mr. Hoxhaj, were also both managers at one point,
15 correct?

16 A Yes.

17 Q When did they become managers?

18 A Well, they gave them that title, I
19 think, in 1999.

20 Q For both of them; is that right?

21 A Yes, correct.

22 Q So at that point, it would have been
23 Ramy, Walter, Musa, and Abdou; is that correct?

24 A Correct.

25 Q At some point, you were promoted to a

1 Ricardo Cordero

2 manager role as well; is that right?

3 A I was promoted, I think, in 2005.

4 Q At the time you were promoted, how
5 many managers were there?

6 A Five.

7 But I was working in the daytime.

8 Q Can you tell me who those five
9 individuals were?

10 A It was Walter, Ramy, Musa, and Abdou,
11 myself.

12 Q And you would be the fifth, right?

13 A Yes.

14 Q You said you were working in the
15 daytime, correct?

16 A In the daytime, yes, correct.

17 Q What does that mean?

18 A I had the shift in the daytime,
19 meaning I started in the morning until 5:00 in the
20 afternoon, 5:00 or 6:00 sometimes.

21 Q So you would be the manager who was
22 on duty during lunch?

23 A Correct.

24 Q Would anybody else, any other
25 managers, be on duty or just you?

1 Ricardo Cordero

2 Q Were managers assigned to specific
3 stations?

4 A Yes.

5 Q What would you be doing in a
6 particular section?

7 A Me?

8 Q As a manager.

9 A I mean, controlling if the table is
10 okay, the setups are clean. Everything, I have to
11 control.

12 Q Were you involved at all in hiring or
13 interviewing new, prospective employees, new waiters?

14 A No.

15 Q You never conducted an interview?

16 A I mean, after the strike, Susan was
17 in charge of looking for the waiters.

18 Q Is it your testimony that you didn't
19 play any role in hiring decisions?

20 A No.

21 Q You didn't play any role in the
22 interview process?

23 A Before the strike, yes.

24 Q But not after?

25 A No.

1 Ricardo Cordero

2 I took orders of parties of fifty in
3 the back room by myself. The dishwasher helped me to
4 clean the tables. I did everything for the party.

5 Q Now, after that happened, how long
6 did the waiters stay walked out for?

7 A I think after the second time, they
8 never came back. They didn't let them come in. They
9 were outside.

10 Q Did Sparks hire new waitstaff at that
11 point?

12 A Yes.

13 Q How many, if you know?

14 A I don't know. I don't remember how
15 many.

16 Q Why did they hire new waitstaff?

17 A To serve the people, for sure.

18 Q Were you involved in disciplining
19 employees ever?

20 A No.

21 Q Did you ever write anybody up for
22 violating the rules?

23 A I wrote it up. I wrote it and then
24 I took it to the office all the time. I wrote them,
25 yes.

1 Ricardo Cordero

2 Q But you did write people up?

3 A Yes.

4 MR. O'NEILL: Objection to form.

5 Q If the waitstaff had a problem with
6 the table, whom would they come to to address that
7 problem?

8 A If they had a problem with the table?

9 Q Yes.

10 A They go to the manager.

11 Q What if they had an issue with a
12 fellow staff member or the kitchen?

13 A With the kitchen, then they have to
14 go to the office. They have to know everything in the
15 office.

16 Q If they had an issue with a fellow
17 staff member, would they speak with the managers as
18 well?

19 A Yes.

20 Q As a manager, were you able to comp
21 drinks or food for waiters who requested it?

22 MR. O'NEILL: Objection to form.

23 A As a manager, am I allowed?

24 Q Yes.

25 A To drink, no.

1 Ricardo Cordero

2 A I'm sorry, can you repeat that?

3 Q You would change your clothes?

4 A Change what?

5 Q You would change your clothes when
6 you came into work?

7 A Correct.

8 Q What did you change into?

9 A I put on my tuxedo to work.

10 Q Is that a different uniform than what
11 the waiters wore?

12 A Yeah, it is.

13 Q What do the waiters wear?

14 A They worked in black pants and white
15 shirts.

16 Q Waiters were assigned a specific
17 section, right?

18 A Right.

19 Q As a manager, would you stand up
20 front?

21 A Of the section?

22 Q Of the section or of the restaurant.

23 A I would stand downstairs or upstairs,
24 anyplace, yes.

25 Q If you were not closing that night,

1 Ricardo Cordero

2 Q This is a paystub from your time as a
3 manager, correct?

4 A Yes.

5 Q You asked about the date. If you
6 take a look in the second box on the top line, it says
7 the check date is November 4th, 2015, correct?

8 A Yes.

9 Q What is the pay period that you are
10 being paid for?

11 A The pay period is 11/12/2015.

12 Q That's the last date of the pay
13 period, right?

14 A Yes.

15 Q It's a one-week pay period?

16 A Yes.

17 Q If you look in the box below, under
18 "Hours and Earnings," it has a regular salary line and
19 it says, "Earnings \$1,600." Do you see that?

20 A Yes.

21 Q That \$1,600 corresponds with the
22 salary that was listed in the three forms that were in
23 Exhibit B, right?

24 A Yes.

25 Q There is also an additional line that

1 Ricardo Cordero

2 says, "Expense allow."

3 A Yes.

4 Q And it has another \$250; is that
5 correct?

6 A Correct.

7 Q Do you know what that \$250 was for?

8 A Well, I know it was maybe for the
9 uniforms, shoes, cleaning, and everything.

10 Q Did you receive that \$250 in each
11 paycheck?

12 A For our uniform, shirts, shoes,
13 pants, jackets.

14 Q Were you required to wash or launder
15 your uniform?

16 A I washed, yes.

17 Q Did you receive that \$250 allowance
18 in every weekly check, if you recall?

19 A Can you repeat it?

20 Q The \$250 allowance that we are
21 discussing, do you recall if you received it in every
22 check weekly?

23 A Yes.

24 Q Can you tell me where on here there
25 is any deduction for meals that you were served at the

1 Ricardo Cordero

2 restaurant?

3 A I don't see it in this check, no.

4 Q If you take a look at the box below
5 that says, "Taxes?" Do you see that?

6 A Taxes, yes.

7 Q Then there is a box on the right-hand
8 side that says, "After-tax deductions." Do you see
9 that?

10 A Medicare fee and Social Security.

11 In which box, in the second box?

12 Q In any of the boxes.

13 Do you see a box that says,

14 "After-tax deductions"?

15 A Yes, I see it.

16 Q Is there anything there reflecting a
17 reduction in your check or a deduction in your check
18 from the meals that you were given at the restaurant?

19 A No, I don't see it here.

20 Q In pretax benefits, the box right
21 above that, is there anything related to that?

22 A No.

23 Q This was direct deposited into your
24 bank account, right?

25 A Yes.

1 Ricardo Cordero

2 A Yes.

3 Q As a manager during your time at
4 Sparks, did you understand that your job was intended
5 to run the front of the house efficiently and
6 supervise the servers and the bartenders?

7 A The job we were doing there, it was
8 not really as manager. It was as server, because we
9 were taking care of tables, serving tables. That's
10 what we were doing working on the floor, taking orders
11 and everything.

12 Q Is it your testimony that the entire
13 time you were a manager you were taking orders and
14 serving tables?

15 MR. O'NEILL: Objection to form.
16 You can answer.

17 A I do, yes. I serve the tables.
18 That's the title they gave me, a
19 manager, but really I was a server there.

20 MR. O'NEILL: Wait for a question,
21 Ricardo.

22 Q Do you agree that you were
23 responsible for supervising the front of the house?

24 A I was responsible, of course.

25 Q The third bullet point down in job

1 Ricardo Cordero

2 responsibilities says, "Schedule staff hours and
3 assign duties." Do you see that?

4 A Which one is that?

5 Q The third bullet point down, it says,
6 "Schedule staff hours and assign duties."

7 (Whereupon, the witness reads the
8 document.)

9 A Scheduling the staff, Abdou was in
10 charge, doing the schedules and everything.

11 Q Abdou was a manager, correct?

12 A That's what I said. Manager is the
13 title they gave us, but we were the servers there. He
14 was doing that.

15 Q You will agree that the managers were
16 in charge of scheduling staff hours and assigning
17 duties, right?

18 MR. O'NEILL: Objection to form.

19 A Yes.

20 Q The sixth bullet down, it says that
21 one of the responsibilities of managers was to greet
22 patrons and assign them to tables, the bar, or the
23 waiting area.

24 Is that something that you did?

25 A Which one?

1 Ricardo Cordero

2 Q The what?

3 A The runners.

4 MR. COLLYER: You can put Exhibit G
5 away.

6 Can you pull up Exhibit H?

7 Q Mr. Cordero, I am showing you what's
8 been marked as Defendant's Exhibit H, Bates stamped
9 DEF1253. Can you see it?

10 A That's the schedule. Yes.

11 Q I'm sorry, can you say that again?
12 What is this document?

13 A This is the schedule for the week for
14 the waiters.

15 Q It's the schedule for the week, I
16 believe, of September 24th, 2018 to September 29th,
17 2018, right?

18 A Yes.

19 Q Who was responsible for putting this
20 document together?

21 MR. O'NEILL: Objection.

22 A This is Musa.

23 Q And Musa is a manager, right?

24 A Yes.

25 Q How often was a document like this

1 Ricardo Cordero

2 put together?

3 A How long?

4 Q How often? Every week?

5 A Every week.

6 Q At the top, it says, "No changes will
7 be made without manager approval." Do you see that?

8 A Correct.

9 Q Do you know who wrote that, whose
10 handwriting that is?

11 A I wrote it. It is my handwriting.

12 Q Why did you write that on top?

13 A I wrote that because I don't want
14 the -- sometimes the waiters come to the front desk
15 saying the schedule didn't change. They change it to
16 closing, early, late. So they have to go through us
17 first to make a change.

18 Q Does your name appear anywhere on
19 this document?

20 A No -- well, on the schedule, yeah,
21 only one time. Where you see closing manager, right
22 there.

23 Q So under "Closing managers," it looks
24 like your name appears twice, right, it says Ric?

25 A Yeah.

1 Ricardo Cordero

2 A No.

3 Q What does it mean to be assigned to
4 deal with money matters?

5 A That's at the end of the night, when
6 they count the cash. He takes in the money and he
7 pays everybody the next day.

8 Q When you say "count the cash," you
9 mean tips that were received at the restaurant, right?

10 A Tips, correct.

11 Q Money matters deals with the tip
12 pool, correct?

13 A Yes.

14 Q None of the managers were a part of
15 the tip pool, correct?

16 A Correct.

17 Q Who decides on the schedule for
18 closing managers?

19 A Who decides it, you said?

20 Q Yes.

21 A Between us, all of us.

22 Q Just looking at the schedule, I see
23 people listed in the boxes. There is written EL,
24 there is C, some of the spaces are --

25 A Hold on one second, please.

1 Ricardo Cordero

2 A When the strike was on?

3 Q Prior to the strike.

4 A Yes.

5 Q Were there ever any meetings after
6 the strike?

7 A No. After, no.

8 MR. COLLYER: If we can go to the
9 second page, the bottom of the second page,
10 that says, "Manager responsibilities"?

11 Q In the paragraph right under
12 "Manager responsibilities," there is a paragraph that
13 references your name. It says, "Ricardo will take the
14 report around to each manager and verify the correct
15 time by writing it on the sheet and initialing the
16 correct entry."

17 Was that one of your staff?

18 A Shailesh gave me the paper and he
19 told me somebody forgot to punch in/punch out, to have
20 the paper signed, that's what I did, and I returned
21 the paper to the office.

22 Q So this is one of the tasks that you
23 performed, right?

24 MR. O'NEILL: Objection to form.

25 Q You can respond.

1 Ricardo Cordero

2 A Excuse me?

3 Q This is one of the tasks you
4 performed, correct?

5 MR. O'NEILL: Objection.

6 A I cannot hear you. Sorry.

7 Q This is one of the tasks that you
8 performed, correct?

9 A Yes.

10 Q At the bottom, there is a section on
11 private party contracts, correct?

12 A Yes.

13 Q This is one of the tasks that we were
14 talking about earlier, where you monitor private party
15 setup, correct?

16 A Correct.

17 Q After the strike, did you hold
18 training meetings for the servers? Did the managers
19 hold training meetings for the servers?

20 A No.

21 Q Did anybody hold training meetings
22 for the servers to discuss issues?

23 A Susan did one.

24 Q Only Susan?

25 A Yes.

1 Ricardo Cordero

2 MR. COLLYER: You can put away

3 Exhibit J.

4 Q If a staff member needed to change
5 their assigned work schedule, we mentioned that they
6 would come to you or one of the managers to talk about
7 it, right?

8 A Yes.

9 MR. COLLYER: Let's look at
10 Exhibit K.

11 Q Exhibit K is a document Bates stamped
12 Defendant's 1459 through 1460; it's a two-page
13 document that has the word "statement" written on top.

14 Do you see this document,
15 Mr. Cordero?

16 A I see it, yes.

17 Q I will represent to you, for our
18 purposes, that this is a complaint raised by a
19 gentleman named Ergin Dragusha.

20 Do you recognize that name?

21 A Dragusha, yes.

22 Q He was a waiter?

23 A He was a waiter, yeah.

24 I think he's still a waiter there.

25 Q Did he ever request to change his

1 Ricardo Cordero

2 right?

3 A I'm sorry?

4 Q Waiters had to abide by a dress code,
5 right, they had a uniform and a dress code?

6 A They come in with black pants and
7 white shirts.

8 Q Did you ever have to speak to a
9 waiter for not following the dress code properly?

10 A Yes. Usually, we control if their
11 uniform is clean or dirty, their shoes.

12 Q Did you ever have to speak to a
13 waiter if they were late for their shift?

14 A I talked to them when they were late,
15 of course. They have to talk to me why they are late
16 and if they get stuck in traffic or the train doesn't
17 work well, you know.

18 Q Were you ever involved in the
19 termination of employees?

20 A I do terminations, consulting the
21 office about everything first.

22 MR. COLLYER: We can put away

23 Exhibit K. Let's take a look at Exhibit L.

24 Q Mr. Cordero, I am showing you what's
25 been marked as Defendant's Exhibit L, Bates stamped

1 Ricardo Cordero

2 DEF1454; it's a one-page document.

3 Do you see that in front of you?

4 A Yes.

5 Q On it is the Sparks logo in the
6 header, right, of the document?

7 A Correct, yes.

8 Q This is a document dated
9 February 12th, 2018, correct?

10 A Correct.

11 Q At the bottom, it's signed by Steve,
12 correct?

13 A Correct.

14 Q This document from 2018 is addressed
15 to a gentleman named Ian Collins.

16 Do you remember a guy named Ian
17 Collins?

18 A I remember. He was a waiter, yes.

19 Q You're referenced in the first
20 sentence of this letter from Steve to Ian.

21 Do you see your name?

22 A My name? Ricardo, yes, Cordero.

23 Q Do you remember if Ian voluntarily
24 resigned as a waiter at Sparks?

25 A He resigned. He called and he was

1 Ricardo Cordero

2 not coming anymore.

3 Q You spoke with him?

4 A I spoke with Ian, yes.

5 Then I gave the notice to the office,
6 to Shailesh.

7 MR. COLLYER: Let's take a look at
8 Exhibit M.

9 Q Mr. Cordero, I am showing you what's
10 been marked as Defendant's Exhibit M; it's Bates
11 stamped DEF1455. It's a one-page document.

12 Do you see it on your screen in front
13 of you?

14 A Yes.

15 Q This is another document on Sparks
16 Steak House letterhead, correct?

17 A Correct.

18 Q It's dated September 25th, 2017?

19 A Correct.

20 Q It's a letter to a gentleman named
21 James Campanella from Steve, correct?

22 A Yes.

23 Q Who is James Campanella?

24 A He is a waiter.

25 Q You see your name in the body of this

1 Ricardo Cordero

2 letter as well?

3 A Yes.

4 Q Do you remember if Mr. Campanella
5 resigned?

6 A He called me on my cellular, and he
7 resigned. I talked to the office and they knew
8 everything in the office.

9 Q You spoke with him on September 21st?

10 A Yes. I don't remember exactly if it
11 was September or which day it was, the date.

12 Q You were one of the managers at the
13 time of his resignation, correct?

14 A Yes.

15 Q That was also true for Ian Collins
16 when he resigned?

17 A Well, he called me, I answered the
18 phone, and he said he resigned.

19 Q You were a manager at that time,
20 right?

21 A Yes.

22 MR. COLLYER: We can put away

23 Exhibit M. Let's take a look at Exhibit N.

24 Q Mr. Cordero, this is a document
25 marked Defendant's Exhibit N, Bates stamped DEF1456.

1 Ricardo Cordero

2 A Because I have to tell Shailesh
3 what's going on.

4 Q Do you remember speaking with Jose
5 regarding his termination?

6 A I remember, yes.

7 Q In that meeting where Jose was
8 terminated, did that occur in person or on the phone?

9 A He was what?

10 Q Was that meeting where he was
11 terminated in person or over the phone?

12 A Over the phone.

13 Q Both you and Steve were on the call?

14 A No. I never saw Steve, no.

15 I don't know who wrote this letter,
16 but I never saw this letter too before.

17 MR. COLLYER: We can move on.

18 Q We talked a little bit about the
19 process for hiring new employees. Did you ever review
20 resumes for new servers?

21 A I reviewed them, yes.

22 Q Did you ever review job applications
23 or interview people?

24 A Interview, no. Susan does the
25 interviews.

1 Ricardo Cordero

2 Q You didn't conduct any interviews of
3 any prospective candidates?

4 A No.

5 MR. COLLYER: Let's take a look at
6 Defendant's Exhibit O.

7 Q Defendant's Exhibit O is a one-page
8 document, it's an email Bates stamped DEF1467, an
9 email from Susan Edelstein to Shailesh Desai, dated
10 October 2nd, 2019. Do you see that?

11 A I see it, yes.

12 Q Susan and Shailesh have been
13 referenced a number of times here.

14 Who is Susan Edelstein at Sparks?

15 A I think she worked for us, is what I
16 think.

17 Q She handled human resources issues?

18 A Yes.

19 Q And Shailesh Desai, we said, was the
20 office manager before, correct?

21 A Correct.

22 Q In this email, for the record, I will
23 read, it says, "Please forward Gina's resume to
24 Octavio and Ricardo. She is available immediately."

25 Do you see that?

1 Ricardo Cordero

2 A Whoever was in the office, Susan or
3 Shailesh.

4 Q Were you part of the discussion to
5 terminate or not?

6 A No.

7 Q Do you recall saying that you
8 controlled everything in the private rooms?

9 A I controlled, yes, the private rooms.

10 Q What do you mean by "control"?

11 A I mean private rooms, it could be two
12 private rooms or four private rooms. You have to open
13 the partition and put the tables together with the
14 waiters for the parties, make sure the bar is complete
15 with the liquor, with the ice. Everything.

16 Q So are you talking about serving
17 customers; is that what you are talking about?

18 A I do. I serve customers.

19 MR. COLLYER: Objection.

20 Q No. I mean in terms of controlling
21 the room, is that all having to do with serving
22 customers?

23 A Of course. What I did is for the
24 customers, everything, and I helped to serve the
25 customers.

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I N D E X

WITNESS	EXAMINATION BY	PAGE
Ricardo Cordero	Mr. Collyer	5
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